

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

In re:
TETHER AND BITFINEX
CRYPTO ASSET LITIGATION

19 Civ. 9236 (KPF)

**STIPULATION AND [PROPOSED] ORDER GOVERNING THE BRIEFING
SCHEDULE AND PAGE LIMITS FOR PLAINTIFFS' MOTION FOR LEAVE TO FILE
SECOND AMENDED CONSOLIDATED COMPLAINT**

WHEREAS, plaintiffs Matthew Script, Benjamin Leibowitz, Jason Leibowitz, and Pinchas Goldshtein ("Plaintiffs") moved for leave to file a Second Amended Consolidated Complaint on October 24, 2023 (ECF No. 479) (the "Motion to Amend");

WHEREAS, defendants iFinex Inc., BFXNA Inc., BFXWW Inc., Tether Holdings Limited, Tether Operations Limited, Tether Limited, Tether International Limited, DigFinex Inc., Giancarlo Devasini, Ludovicus Jan van der Velde (the "B/T Defendants") and Philip Potter (together with the B/T Defendants, "Defendants") intend to oppose Plaintiffs' pending Motion to Amend;

WHEREAS, during the pretrial conference on October 31, 2023, Defendants sought additional time and pages to respond to Plaintiffs' Motion to Amend;

WHEREAS, the Court ordered the parties to propose a briefing schedule and page limits for Defendants' oppositions to Plaintiffs' Motion to Amend and Plaintiffs' reply thereto; and

WHEREAS, the Court adjourned the schedule for class certification, including Plaintiffs' motion for class certification and supporting expert reports currently due on November 20, 2023 (ECF No. 387), pending the Court's decision on Plaintiffs' Motion to Amend;

IT IS HEREBY STIPULATED AND AGREED by the Parties, by and through their undersigned counsel, as follows:

1. The B/T Defendants' brief in opposition to Plaintiffs' Motion to Amend shall be due December 8, 2023, and the B/T Defendants may file a brief not to exceed 45 pages;
2. Philip Potter's brief in opposition to Plaintiffs' Motion to Amend shall be due December 8, 2023, and Philip Potter may file a brief not to exceed 5 pages; and
3. Plaintiffs' reply brief in support of their Motion to Amend shall be due January 12, 2024, and Plaintiffs may file a single consolidated reply brief not to exceed 30 pages.

IT IS SO STIPULATED.

/s/ Andrew R. Dunlap

Philippe Z. Selendy
Andrew R. Dunlap
Oscar Shine
SELENDY GAY ELSBERG PLLC
1290 Sixth Avenue
New York, NY 10104
pselendy@selendygay.com
adunlap@selendygay.com
oshine@selendygay.com

/s/ Todd M. Schneider

Todd M. Schneider (*pro hac vice*)
Matthew S. Weiler (*pro hac vice*)
SCHNEIDER WALLACE COTTRELL
KONECKY LLP
2000 Powell Street, Suite 1400
Emeryville, CA 94608
tschneider@schneiderwallace.com
mweiler@schneiderwallace.com

*Interim Lead Counsel and Attorneys for the
Plaintiffs and the Proposed Class*

/s/ Elliot Greenfield

Maeve L. O'Connor
Michael Schaper
Elliot Greenfield
DEBEVOISE & PLIMPTON LLP
66 Hudson Boulevard
New York, NY 10001
mloconnor@debevoise.com
mschaper@debevoise.com
egreenfield@debevoise.com

Michael Jason Lee, Esq.
Law Offices of Michael Jason Lee, APLC
4660 La Jolla Village Drive, Suite 100
San Diego, CA 92122
michael@mjllaw.com

Sunjina K. Ahuja, Esq.
Christopher J. Beal
Dillon Miller, Ahuja & Boss, LLP
5872 Owens Ave., Suite 200
sahuja@dmablaw.com
cbeal@dmablaw.com

*Attorneys for Defendants iFinex Inc.,
DigFinex Inc., BFXNA Inc., BFXWW Inc.,
Tether International Limited, Tether*

*Operations Limited, Tether Holdings
Limited, Tether Limited, Giancarlo Devasini,
and Ludovicus Jan van der Velde*

/s/ Charles D. Cording
Charles D. Cording
WILLKIE FARR & GALLAGHER LLP
787 Seventh Avenue
New York, NY 10019-6099
ccording@willkie.com

Attorney for Defendant Philip G. Potter

Dated: November 2, 2023

IT IS SO ORDERED, this _____ day of _____, 2023.

Hon. Katherine Polk Failla
United States District Judge